

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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JANE DOE on behalf of herself and her minor child;
JANE BOE, Sr. on behalf of herself and her minor
child; JOHN COE, Sr. and JANE COE, SR. on
behalf of themselves and their minor children; JOHN
FROE, Sr. on behalf of himself and his minor child;
JANE GOE, Sr. on behalf of herself and her minor
child; JANE LOE on behalf of herself and her
medically fragile child; JANE JOE on behalf of
herself and her medically fragile child;
CHILDRENS HEALTH DEFENSE, and all others
similarly situated,

Plaintiffs,

-against-

Case No.

1:20-cv-00840-BKS-CFH

HOWARD ZUCKER, in his official capacity
As Commissioner of Health for the State of New
York; ELIZABETH RAUSCH-PHUNG, M.D., in
her official capacity as Director of the Bureau of
Immunizations at the New York State Department of
Health; the NEW YORK STATE DEPARTMENT
OF HEALTH; THREE VILLAGE CENTRAL
SCHOOL DISTRICT; CHERYL PEDISCH, acting
in Official capacity as Superintendent, Three Village
Central School District; CORINNE KEANE, acting
in her official capacity as Principal, Paul J. Gelinas
Jr. High School, Three Village Central School
District; LANSING CENTRAL SCHOOL
DISTRICT; CHRIS PETTOGRASSO, acting in her
capacity as Superintendent, Lansing Central School
District; CHRISTINE REBERA, acting in her
official capacity as Principal, Lansing Middle
School, Lansing Central School District; LORRI
WHITEMAN, acting in her official capacity as
Principal, Lansing Elementary School, Lansing
Central School District; PENFIELD CENTRAL
SCHOOL DISTRICT; DR. THOMAS PUTNAM,
acting in his official capacity as Superintendent,
Penfield Central School District; SOUTH
HUNTINGTON SCHOOL DISTRICT; DR. DAVID
P. BENNARDO, acting in his official Capacity as
Superintendent, South Huntington School District;

BR. DAVID MIGLIORINO, acting in his official capacity as Principal, St. Anthony's High School, South Huntington School District; ITHACA CITY SCHOOL DISTRICT; DR. LUELLE BROWN, acting in his official capacity as Superintendent, Ithaca City School District; SUSAN ESCHBACH, acting in her official capacity as Principal, Beverly J. Martin Elementary School, Ithaca City School District; SHENENDEHOWA CENTRAL SCHOOL DISTRICT; DR. L. OLIVER ROBINSON, acting in his official capacity as Superintendent, Shenendehowa Central School District; SEAN GNAT, acting in his official capacity as Principal, Koda Middle School, Shenendehowa Central School District; ANDREW HILLS, acting in his official capacity as Principal, Arongen Elementary School, Shenendehowa Central School District; COXSACKIE-ATHENS SCHOOL DISTRICT; RANDALL SQUIER, Superintendent, acting in his official capacity as Superintendent, Coxsackie-Athens School District, Coxsackie-Athens School District; FREYA MERCER, acting in her official capacity as Principal, Coxsackie-Athens High School, Coxsackie-Athens School District; ALBANY CITY SCHOOL DISTRICT; KAWEEEDA G. ADAMS, acting in her official capacity as Superintendent, Albany City School District; MICHAEL PAOLINO, acting in his official capacity as Principal, William S Hackett Middle School, Albany City School District; and all others similarly situated

Defendants.

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**AFFIDAVIT OF DANIEL DRIFFILL
IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION
ON BEHALF OF DEFENDANTS
PENFIELD CENTRAL SCHOOL DISTRICT AND DR. THOMAS PUTNAM**

STATE OF NEW YORK)
)
COUNTY OF Monroe) ss.:

Daniel Driffill, Ed.D., being duly sworn, deposes and says:

1. I am currently employed by defendant PENFIELD CENTRAL SCHOOL DISTRICT ("District") as the Assistant Superintendent for Business. I submit this declaration in opposition to plaintiff JANE GOE Sr.'s motion for a preliminary injunction on behalf of defendants the District and DR. THOMAS PUTNAM.


2. I have been employed by the District since July 1, 2020.

3. In my capacity as Assistant Superintendent for Business, I have access to and maintain records for all students within the district in the ordinary course of business. I make this affidavit based upon my review of student records.

4. On July 30, 2020, Plaintiff JANE GOE Sr.'s minor child ("Jane Goe"), graduated from Penfield High School. Attached as Exhibit "A" is a printout from the District's student management system indicating that Jane Goe graduated from Penfield High School and completed her K-12 education.


5. Neither Jane Goe, nor anyone acting on her behalf, has sought to enroll in the District for the upcoming school year.

Dated: September 4, 2020


DANIEL DRIFFILL, Ed.D.

Sworn to before me this

4th day of September, 2020


Notary Public



